

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 04 JUL 2006

WIPO PCT

Applicant's or agent's file reference 20500108	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/SG2005/000048</b>	International filing date ( <i>day/month/year</i> ) 18 February 2005	Priority date ( <i>day/month/year</i> ) 19 February 2004
International Patent Classification (IPC) or national classification and IPC  Int. Cl. <b>G02C 1/08 (2006.01)</b>		
Applicant <b>EYE-BIZ PTE LTD et al</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☒ (*sent to the applicant and to the International Bureau*) a total of 6 sheets, as follows:
 

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).  
☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 1 December 2005	Date of completion of this report 23 June 2006
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  <b>N. Stojadinovic</b> Telephone No. (02) 6283 2124

**Box No. I Basis of the report**1. With regard to the **language**, this report is based on:

- ☒ The international application in the language in which it was filed
- ☐ A translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☐ the international application as originally filed/furnished
- ☒ the description:  
     pages **1-12** as originally filed/furnished  
     pages\* received by this Authority on \_\_\_\_\_ with the letter of \_\_\_\_\_  
     pages\* received by this Authority on \_\_\_\_\_ with the letter of \_\_\_\_\_
- ☒ the claims:  
     pages as originally filed/furnished  
     pages\* as amended (together with any statement) under Article 19  
     pages\* **13-18** received by this Authority on **1 December 2005** with the letter of 28 November 2005  
     pages\* received by this Authority on \_\_\_\_\_ with the letter of \_\_\_\_\_
- ☒ the drawings:  
     pages **1-12** as originally filed/furnished  
     pages\* received by this Authority on \_\_\_\_\_ with the letter of \_\_\_\_\_  
     pages\* received by this Authority on \_\_\_\_\_ with the letter of \_\_\_\_\_

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

\* If item 4 applies, some or all of those sheets may be marked "superseded."

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	<b>1-20, 23-30, 32, 33</b>	<b>YES</b>
	Claims	<b>21, 22, 31</b>	<b>NO</b>
Inventive step (IS)	Claims	<b>1-20, 23-30, 32, 33</b>	<b>YES</b>
	Claims	<b>21, 22, 31</b>	<b>NO</b>
Industrial applicability (IA)	Claims	<b>1-33</b>	<b>YES</b>
	Claims		<b>NO</b>

**2. Citations and explanations (Rule 70.7)****Novelty (N) Inventive Step (IS) Claims 21, 22, 31**

- WO 1998/048314

The above document discloses a temple (14) for engagement with front end pieces (19) of a spectacle frame and has a temple end with a slot extending rearwardly from it, upper and lower pins (eg. at part (22) in figure 2) and the slot can be compressed by finger pressure to allow the pins entry into their relevant holes (see at part (23) in figure 2)

Thus claims 21 and 22 are not novel and do not comprise an inventive step.

- US 2551144
- EP 833185

Both of the above disclose a method of inserting a lens into the rim of a spectacle frame. A close examination of eg. US 2551144 discloses the rim being opened and a lens inserted, the upper part of the front end being aligned with the lower end (see figure 2), followed by the insertion of tongues (11) of clip (8) into grooves (10).

Thus Claim 31 is not novel and does not comprise an inventive step.

The Claims

1. A spectacle frame comprising:
  - (a) a front for holding therein two lenses;
  - 5 (b) the front having front end pieces extending rearwardly at each end thereof, the front end pieces having an upper portion and a lower portion;
  - (c) the upper portion having an upper notch and the lower portion having a lower notch;
  - 10 (d) a clip for attachment to the front end pieces to releasably retain the end pieces together, the clip comprising an end for engagement in the upper notch and the lower notch for retaining the upper portion and the lower portion together.
  - (e) the clip being for providing control of movement of a temple of  
15 the spectacle frame.
2. A spectacle frame as claimed in claim 1, wherein the upper notch is in an upper edge of the upper portion, the lower notch is in a lower edge of the upper portion; and the end of the clip comprises a bifurcated end  
20 terminating in two spaced-apart tongues for engagement in the upper notch and the lower notch.
3. A spectacle frame as claimed in claim 1 or claim 2, wherein one of the upper portion and the lower portion has a geometric projection for  
25 engagement in and disengagement from a corresponding sized and shaped geometric opening in the other of the upper portion; the clip serving to retain the geometric projection in the geometric opening.
4. A spectacle frame as claimed in any one of claims 1 to 3, wherein the clip  
30 is generally S-shaped and comprises:
  - (a) a lower arm operatively connected to
  - (b) an intermediate arm, the intermediate arm being operatively connected to
  - (c) a top arm; and
  - 35 (d) a lip extending rearwardly and inwardly from the top arm for providing the control of movement of the temple.

5. A spectacle frame as claimed in anyone of claims 1 to 4, wherein the upper portion has an upper bracket extending inwardly thereof and the lower portion has a lower bracket extending inwardly thereof.
- 5 6. A spectacle frame as claimed in any one of claims 1 to 5, further comprising an opening in the front end pieces.
- 10 7. A spectacle frame as claimed in claim 5 when appended to claim 2, wherein upper notch is for co-operative engagement with the lower notch to form an opening; the opening being forwardly of both the geometric projection and the geometric opening; the upper bracket and the lower bracket being intermediate the opening, the geometric opening, and the geometric projection; wherein the clip comprises a tongue extending
- 15 inwardly and forwardly from the lower arm for enabling the clip to engage the opening in the front end pieces.
8. A spectacle frame as claimed in claim 4, wherein a narrow gap is formed between the end and the intermediate arm, the narrow gap being less than
- 20 a thickness of the front end pieces.
9. A spectacle frame as claimed in claim 4, wherein when the clip is under compression, the lip contacts the intermediate arm to form a closed loop, the clip being a spring clip.
- 25 10. A spectacle frame as claimed in claim 5, wherein the temple comprises:
- (a) a temple end;
  - (b) a slot extending rearwardly from the temple end;
  - (c) an upper pin extending upwardly of the temple end;
  - 30 (d) a lower pin extending downwardly of the temple end;
  - (e) the slot being able to be compressed by finger pressure to enable the upper pin and lower pin to engage in pin holes in the upper bracket and the lower bracket.
- 35 11. A spectacle frame as claimed in claim 10, further including a temple end offset portion offset inwardly of the temple, the slot extending rearwardly

beyond the temple end offset portion, the slot tapering in height from the temple end for at least the full extent of the temple end offset portion.

- 5           12.     A spectacle frame as claimed in any one of claims 10 or claim 11, wherein the clip is integral with the temple.
13.     A spectacle frame as claimed in claim 12 when appended to claim 10, wherein the slot also extends into the top arm of the clip.
- 10       14.     A spectacle frame as claimed in any one of claims 5 to 13, wherein the upper bracket has an upper skirt depending therefrom and the lower bracket has a lower skirt extending upwardly therefrom.
- 15       15.     A clip for engagement with front end pieces of a spectacle frame, the clip being generally S-shaped and comprising:
- (a)     a lower arm operatively connected to
- (b)     an intermediate arm, the intermediate arm being operatively connected to
- (c)     a top arm;
- 20       wherein
- (d)     an end extends inwardly and forwardly from the lower arm for enabling the clip to engage at least one notch in the front end pieces; and
- (e)     a lip extends rearwardly and inwardly from the top arm for
- 25       providing control of movement of a temple of the spectacle frame.
16.     A clip as claimed in claim 15, wherein a narrow gap is formed between the end and the intermediate arm, the narrow gap being less than a thickness of the front end pieces, and when the clip is under compression, the lip contacts the intermediate arm to form a closed loop.
- 30       17.     A clip as claimed in claim 15 or claim 16, wherein the end is bifurcated remote from the intermediate arm and terminates in two L-shaped and spaced apart tongues.
- 35       18.     A clip as claimed in any one of claim 15 to 17, wherein the clip is a spring clip.

19. A clip as claimed in any one of claims 15 to 18, wherein the temple is integral with the clip.
- 5 20. A clip as claimed in claim 19, wherein a slot extends from the top arm of the clip into the temple.
21. A temple for engagement with front end pieces of a spectacle frame, the temple comprising:
- 10 (a) a temple end;
- (b) a slot extending rearwardly from the temple end;
- (c) an upper pin extending upwardly of the temple end;
- (d) a lower pin extending downwardly of the temple end;
- 15 (e) the slot being able to be compressed by finger pressure to enable the upper pin and lower pin to engage in pin holes of the front end pieces.
22. A temple as claimed in claim 21, further including a temple end offset portion offset inwardly of the temple, the slot extending rearwardly beyond
- 20 the front offset portion, and the slot tapering from the temple end.
23. A temple as claimed in claim 21, wherein the temple further comprises an integral clip.
- 25 24. A temple as claimed in claim 23, wherein the clip is generally S-shaped and comprises:
- (a) a lower arm operatively connected to
- (b) an intermediate arm, the intermediate arm being operatively connected to
- 30 (c) a top arm;
- wherein
- (d) an end extends inwardly and forwardly from the lower arm for enabling the clip to engage at least one notch in the front end pieces; and
- 35 (e) a lip extends rearwardly and inwardly from the top arm for providing control of movement of a temple of the spectacle frame.

25. A temple as claimed in claim 24, wherein a narrow gap is formed between the end and the intermediate arm, the narrow gap being less than a thickness of the front end pieces.
- 5 26. A temple as claimed in claim 24 or claim 25, wherein when the clip is under compression, the lip contacts the intermediate arm to form a closed loop.
27. A temple as claimed in any one of claim 23 to 26, wherein the clip is a spring clip.
- 10 28. A temple as claimed in any one of claims 24 to 27, wherein the slot extends from the top arm of the clip into the temple.
- 15 29. A temple as claimed in any one of claims 21 to 28, the temple further comprising a rear end with an elongate slot therein with a split end, the rear end being adapted to engage longitudinal grooves of a temple tip.
30. A temple as claimed in claim 29, wherein the longitudinal grooves end with wells for the split end.
- 20 31. A method for inserting a lens into a rim of a spectacle frame, the method comprising:
- 25 (a) opening the rim;
- (b) inserting the lens in the rim;
- (c) closing the rim;
- (d) moving an upper portion of a front end piece of the rim to be adjacent and aligned with a lower portion of the front end piece;
- (e) using finger pressure to insert two spaced apart tongues of a clip into spaced apart notches in the upper portion and the lower portion; and
- 30 (f) using finger pressure to force the clip over and into engagement with the front end pieces to hold the front end pieces together.
32. A method as claimed in claim 31, wherein the clip is as claimed in any one of claims 15 to 20.
- 35



33. A method as claimed in claim 31, wherein the temple is as claimed in any one of claims 21 to 30.